



04-05-05

3731

Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/007,364
	Filing Date	November 5, 2001
	First Named Inventor	Aaron V. Kaplan
	Group Art Unit	3731
	Examiner Name	Julian W. Woo
Total Number of Pages in This Submission	Attorney Docket Number	0313-0003.01

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Second Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	- (1) PCT Search Report
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	- Certificate of Mailing
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	- Return Receipt Postcard
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	- PTO/SB/08A (1 sheet)
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	By U.S. Postal Service Express Mail	
	Label No. EV 459442891US	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Cook, Alex, McFarron, Manzo, Cummings & Mehler, Ltd. Gary W. McFarron, Esq. (Reg. No. 27,357)
Signature	<i>Gary W. McFarron</i>
Date	April 4, 2005

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class ^{Express} mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: April 4, 2005			
Typed or printed name	Jason Smalley		
Signature	<i>Jason Smalley</i>	Date	April 4, 2005

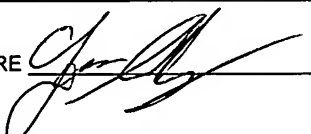
Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PATENT
Attorney Docket No. 0313-0003.01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)
)
Aaron V. Kaplan, et al.)
)
Serial No.: 10/007,364)
)
Filed: November 5, 2001)
)
Group Art No.: 3731)
)
Examiner: Julian W. Woo)
)
For: METHODS AND APPARATUS FOR)
TRANSPERICARDIAL LEFT)
ATRIAL APPENDAGE CLOSURE)

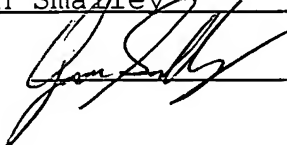
CERTIFICATE OF MAILING BY "EXPRESS MAIL" "Express Mail" Mailing Label No. <u>EV459442891US</u> Date of Deposit <u>April 4, 2005</u> I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office Box Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 NAME <u>Jason Smalley</u> SIGNATURE 
--

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate of Mailing Under 37 CFR 1.10

I hereby certify that the correspondence listed below is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service, **Label No. EV 459442891 US** under 37 CFR 1.10 on April 4, 2005 and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

1. Transmittal Form PTO/SB/21 (1 sheet);
2. Information Disclosure Statement (in duplicate - 3 sheets);
3. PTO/SB/08A (1 sheet);
4. Certificate of Mailing (1 sheet);
5. PCT International Search Report (4 sheets); and
6. Return Receipt Postcard.

Name: Jason Smalley
Signature: 



PATENT

Attorney Docket No. 0313-0003.01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Aaron V. Kaplan, et al.

Serial No.: 10/007,364

Filed: November 5, 2001

Group Art No.: 3731

Examiner: Julian W. Woo

For: METHODS AND APPARATUS FOR
TRANSPERICARDIAL LEFT
ATRIAL APPENDAGE CLOSURE

CERTIFICATE OF MAILING BY "EXPRESS
MAIL"

"Express Mail" Mailing Label No. EV459442891US

Date of Deposit April 4, 2005

I hereby certify that this paper or fee is being deposited
with the United States Postal Service "Express Mail
Post Office Box Addressee" service under 37 CFR
1.10 on the date indicated above and is addressed to:
Mail Stop Amendment, Commissioner for Patents,
P.O. Box 1450, Alexandria VA 22313-1450

NAME Jason Smalley

SIGNATURE 

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.97, Applicant hereby calls the Examiner's attention to the documents listed on the attached form, which may be material to the examination of this application. A copy of the foreign document is enclosed herewith for the Examiner's consideration.

No inference should be drawn that any apparatus or method disclosed is equivalent to the subject invention. Also, the citation of the above-discussed documents is not to be construed as an assertion that more pertinent art could not possibly be in existence. Citation of the documents herein is not to be construed as an admission that any subject matter disclosed in the documents

is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

Applicant also respectfully reserves the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of the documents discussed herein, that may be cited by the Examiner in rejecting a claim in the present patent application.


This Information Disclosure Statement is being mailed after the mailing date of a first Office Action on the merits but before a final action or an action that closes prosecution. The cited information was first called to Applicant's attention in a PCT International Search Report dated January 19, 2005 that was filed in co-pending PCT application International Application No. PCT/US03/14435, which shares a common inventor with the current application. Accordingly, pursuant to 37 C.F.R. § 1.97(e)(2), it is hereby stated: no item of this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the best knowledge of the person signing this certification after making a reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to filing of this

information disclosure statement. Consequently, as provided in 37 C.F.R. § 1.97(c), a fee under §1.17(p) is not required for the filing of this information disclosure. However, if it is determined that an additional fee is required, then authorization is hereby granted to charge Deposit Account 50-1039 any additional fee required.

(A duplicate of this document is enclosed herewith.)

Respectfully submitted,

Date: April 4, 2005

By: 
Gary W. McFarron, Esq.
Registration No. 27,357
Cook, Alex, McFarron, Manzo,
Cummings & Mehler, Ltd.
200 West Adams St., Suite 2850
Chicago, IL 60606
Telephone: (312) 236-8500
Attorneys for Applicant

PTO/SB/08A (04-03)
Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	-	of	1
-------	---	---	----	---

Complete if Known

Application Number	10/007,364
Filing Date	November 5, 2001
First Named Inventor	Aaron V. Kaplan
Art Unit	3731
Examiner Name	Julian W. Woo
Attorney Docket Number	0313-0003.01

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

Examiner Signature	Date Considered
-----------------------	--------------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ² Applicant's unique citation designation number (optional). ³ See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ⁴ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁵ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁷ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.